



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jens Ponikau

Art Unit : 1614

Serial No. : 09/177,273

Examiner : Kevin Weddington

Filed : October 22, 1998

Title : METHODS AND MATERIALS FOR TREATING AND PREVENTING
INFLAMMATION OF MUCOSAL TISSUE

RECEIVED

Commissioner for Patents
Washington, D.C. 20231

JAN 12 2001

COMMUNICATION


TECH CENTER 1800/2900

Applicant notes that an initialed copy of the 1449-PTO form submitted on December 10, 1999 has not been returned. Applicant respectfully requests a copy of this initialed 1449-PTO form. For the Examiner's convenience, a copy of the 1449-PTO form submitted December 10, 1999 is attached along with the accompanying documents. Copies of the references listed on the 1449-PTO form will be resubmitted upon request.

Applicant respectfully submits that previously allowed claims 1-7, 9-13, 16-20, and 51-104 remain in condition for allowance, which action is requested. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: January 9, 2001


Patrick Finn III, Ph.D.
Reg. No. 44,109

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60030322.doc

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No EL 734684135US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231

January 9, 2001
Date of Deposit

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Vince Defante

Typed or Printed Name of Person Signing Certificate



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TRANSMITTAL LETTER

Correspondence relating to this application is enclosed as follows.

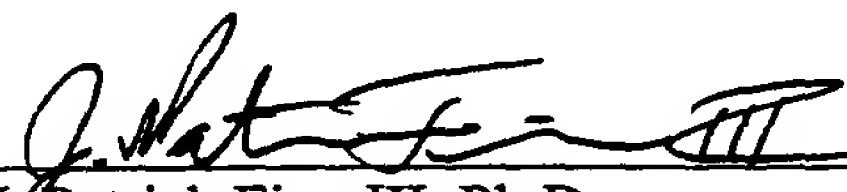
TECH CENTER 1600/2900

1. Supplemental Information Disclosure Statement (2pgs)
2. PTO-1449 (1pg)
3. Copy of Foreign Communication
4. 9 Cited References

Please apply any charges not covered, or any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 10, 1999


J. Patrick Finn III, Ph.D.
Reg. No. 44,109

JXF/med

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

December 10, 1999

Date of Deposit


Signature

Melissa Dingmann

Typed or Printed Name of Person Signing Certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jens Ponikau

Art Unit : 1614

Serial No. : 09/177,273

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Title : METHODS AND MATERIALS FOR TREATING AND PREVENTING
INFLAMMATION OF MUCOSAL TISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant submits the references listed on the attached form PTO-1449, copies of which are enclosed. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. I, the undersigned, hereby certify that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated December 2, 1999,

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

December 10, 1999

Date of Deposit

Melissa Dingmann

Signature

Melissa Dingmann

Typed or Printed Name of Person Signing Certificate

Applicant : Jens Ponikau
Serial No. : 09/177,273
Filed : October 22, 1998
Page : 2

Attorney Docket No.: 07039-129001

which is not more than three months prior to the filing of this statement. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 10, 1999

J. Patrick Finn III
J. Patrick Finn III, Ph.D.
Reg. No. 44,109

JXF/med

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

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Applicant or Patentee: Jens Ponikau
 Serial or Patent No.: 09/177,273
 Filed or Issued: October 22, 1998
 For:

METHODS AND MATERIALS FOR TREATING AND PREVENTING INFLAMMATION OF MUCOSAL TISSUE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled METHODS AND MATERIALS FOR TREATING AND PREVENTING INFLAMMATION OF MUCOSAL TISSUE described in

- ☐ the specification filed herewith.
☒ application serial no. 09/177,273, filed October 22, 1998.
☐ patent no., issued.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization.
☐ persons, concerns or organizations listed below*.

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: Jens Ponikau

Signature: _____

Date: _____

01/11/99



F + R - 2

PATENT

ATTORNEY DOCKET NO.: 07039/129001

The Patent and Trademark Office date stamp sets forth the date of receipt of:

Applicant or Patentee Jens Ponikau

No. (Application, Appeal, Interference, Patent, Reexam) 09/177, 223

Filing or Issue Date October 22, 1998

Title Methods and Materials... Inflammation of Mucosal Tissue

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|-------------------------------------|---|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | Transmittal Letter (4 copies) | <input type="checkbox"/> | With Pet. for Ext. |
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| <input checked="" type="checkbox"/> | Information Disclosure Statement <u>Suppl.</u> | | |
| <input checked="" type="checkbox"/> | PTO 1449 Form - <u>1</u> Pages | | |
| <input checked="" type="checkbox"/> | Prior Art References - Number of References <u>9</u> | | |
| <input type="checkbox"/> | Drawings _____ Sheets Formal _____ Sheets Informal _____ Sheets Amended | | |
| <input type="checkbox"/> | Notice of Missing Parts | | |
| <input type="checkbox"/> | Combined Declaration and Power of Attorney | | |
| <input type="checkbox"/> | Small Entity Statement | | |
| <input checked="" type="checkbox"/> | Other <u>Copy of Foreign Communication (Search Report)</u> | | |

Atty/Sec. _____ Client/

Initials JXE/med Matter Name Mayo

Date 12/10/99